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19 **IN THE UNITED STATES DISTRICT COURT**

20 **NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO**

21 GUADALUPE SALAZAR, *et al.*,

22 Plaintiffs,

23 v.

24 MCDONALD'S CORP., *et al.*,

25 Defendants.

CASE NO. 3:14-cv-02096-RS

PLAINTIFFS' NOTICE OF APPEAL

Complaint Filed: March 12, 2014

PLAINTIFFS' NOTICE OF APPEAL

Please take notice that plaintiffs Guadalupe Salazar, Genoveva Lopez, and Judith Zarate, on their own behalf and as representatives of the proposed class and the State of California, hereby appeal to the United States Court of Appeals for the Ninth Circuit from the judgment against plaintiffs and in favor of defendants McDonald's Corp. and McDonald's U.S.A., LLC entered in this action on March 10, 2017 (Dkt. No. 274), as amended on March 28, 2017 (Dkt. No. 276), and from all orders and rulings which produced or merge into that judgment, including but not limited to the August 16, 2016 Order Granting in Part and Denying in Part Motion for Summary Judgment (Dkt. No. 193), the January 5, 2017 Order Denying Motion for Class Certification and Granting Motion To Strike Representative PAGA Claims (Dkt. No. 265), and the March 10, 2017 Order Granting Defendant's Second Motion for Summary Judgment (Dkt. No. 273).

Plaintiffs file this Notice of Appeal protectively in order to preserve their right to appeal the judgment entered on March 10, 2017. As set forth in plaintiffs' April 6, 2017 Response to Notice and Administrative Motion for Certification of Judgment under Rule 54(b) (Dkt. No. 280), Plaintiffs continue to request entry of an amended judgment expressly finding pursuant to Fed. R. Civ. P. 54(b) that there is no just reason to delay entry of final judgment in favor of McDonald's Corp. and McDonald's U.S.A., LLC. This Court retains jurisdiction to enter an amended judgment making express findings pursuant to Rule 54(b) notwithstanding the filing of this Notice of Appeal. *See, e.g., Nat'l Ass'n of Home Builders v. Norton*, 325 F.3d 1165, 1167 n.1 (9th Cir. 2003).

Respectfully submitted,

Dated: April 7, 2017

By: /s/P. Casey Pitts

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